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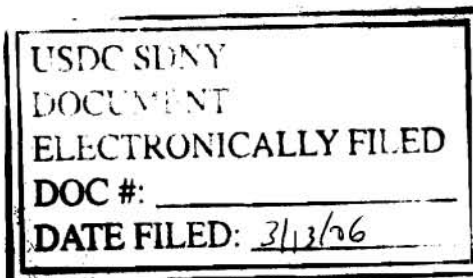
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BY MAIL

Hon. Kenneth M. Karas
United States District Judge
Southern District of New York
500 Pearl Street, Room 920
New York, NY 10007-1312



Re: Elektra Entertainment Group Inc. et al v. Barker
SDNY No. 05 CV 7340 (KMK)
BLH File No. 700000.18402

Dear Judge Karas:

This is in response to plaintiffs' letter of today requesting a pre-motion conference on a motion to withdraw their initial response to the EFF's amicus brief due to a "clerical" error. We would not want to waste the Court's time or have our client incur legal fees by objecting to something so trivial as plaintiffs's request. Had plaintiffs' counsel contacted us before writing their letter to the Court, they would have learned that we consent to their request. Therefore, it is respectfully submitted that there is no need for a pre-motion conference.

Respectfully yours,

Morlan Ty Rogers (MR 3818)

cc: J. Christopher Jensen, Esq. (by mail)
Fred von Lohmann, Esq. (by mail)
Andrew Bridges, Esq. (by mail)

*The clerk is directed to terminate Doc # 24
and accept Doc. # 26 in its place.*

SO ORDERED

KENNETH M. KARAS U.S.D.J.